

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BILLY J. PINA,

Plaintiff,

v.

FNU JAMES, et al.,

Defendants.

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Case No. CIV-21-562-SLP

ORDER

On August 11, 2021, this Court entered an Order sua sponte extending the deadline for Plaintiff to pay his initial filing fee in accordance with the Report and Recommendation entered by United States Magistrate Judge Amanda Maxfield Green. *See* Order [Doc. No. 8]. The Order was returned undeliverable on August 17, 2021. Further, no objection to the Report and Recommendation has been filed nor has Plaintiff paid the initial partial filing fee.¹ Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED and this matter is DISMISSED WITHOUT PREJUDICE. A separate Judgment of Dismissal shall be entered contemporaneously with this Order.

¹ Plaintiff is responsible for providing notice of any change of address to the Court. *See* LCvR 5.4(a) (requiring written notice of a change of address and further providing that papers sent by the Court are “deemed delivered if sent to the last known address given to the court.”); *see also Theede v. United States Dep’t of Labor*, 172 F.3d 1262, 1267-68 (10th Cir. 1999) (pro se plaintiff who failed to provide any change of address waived right to review of report and recommendation by failing to make a timely objection).

IT IS SO ORDERED this 15th day of September, 2021.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE